



STATE OF WASHINGTON  
WASHINGTON STATE BOARD OF HEALTH  
*1102 SE Quince Street • PO Box 47990  
Olympia, Washington 98504-7990*

January 23, 2002

The Honorable Mark Doumit, Chair  
House Natural Resources Committee  
John L O'Brien Building  
2nd Floor, Room 207-A  
P.O. Box 40600  
Olympia, Washington 98504-0600

Dear Representative Doumit,

I am writing as chair of the Washington State Board of Health concerning House Bill 2323. Without commenting on the merits of the bill, I want to draw your attention to the role of the Board in shellfish regulation and the development health standards for retail food service establishments.

The Board has specific authority over the growing, processing, and sale of shellfish under Chapter 69.30 RCW. The rules promulgated under this chapter appear in Chapter 246-282 WAC. The Board also has authority to regulate food service establishments under Chapter 43.20 RCW. This chapter is the statutory basis for the state Food Code, which appears in rule as Chapter 246-215 WAC. Subsection 010(22)(a) of the Food Code states that the term "food service establishments" includes retail fish markets.

Section 3 of HB 2323 would direct the Department of Health to develop "health-based standards relating to the processing and retail sale of food fish and shellfish by the holder of a direct retail license." Existing standards for the processing and sale of food fish and shellfish are promulgated under the Board's statutory authority. It is my hope that, whatever the outcome of this bill, any final legislation promotes consistency and efficiency in rule making by considering the existing regulatory framework.

We appreciate your thoughtful consideration of this important public health issue.

Sincerely,

Linda Lake, Chair  
Washington State Board of Health

cc: Representative Brian Hatfield  
House Natural Resources Committee Members  
Washington State Board of Health Members  
Don Sloma, Washington State Board of Health  
Patty Hayes, Department of Health